UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff.

vs.

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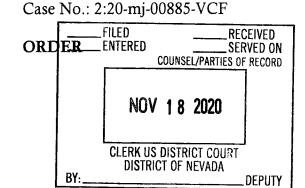
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JAIR DE JESUS LEON-LIMON,

Defendant.



ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

- 1. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.
- 2. The parties need additional time to discuss possible resolutions in this case and if that becomes futile, the government needs additional time to present this case to the grand jury.
- 3. Defendant JAIR DE JESUS LEON-LIMON is in custody and does not object to the continuance.
- 4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
- 5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.
- 6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).
 - 7. This is the <u>second</u> request for a continuation of the preliminary hearing.

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For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for November 23, 2020, at the hour of 4:00 p.m., be vacated and continued to 2021, at the hour of 4:00 PM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

DATED this _____ day of November, 2020.

1 Add C THE HONORABLE CAM FERENBACH

UNITED STATES MAGISTRATE JUDGE